

THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DANIEL J. RICHARDSON,

Plaintiff,

v.

FEDERAL BUREAU OF  
INVESTIGATION, et al.,

Defendants.

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3:22-CV-434

(JUDGE MARIANI)

(Magistrate Judge Mehalchick)

ORDER

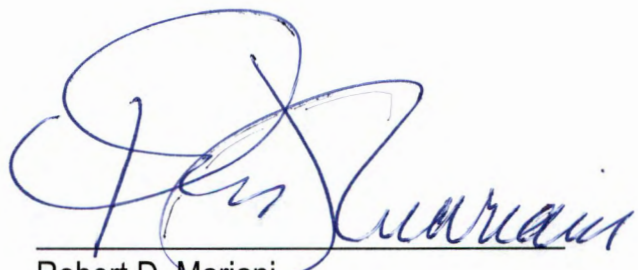
AND NOW, THIS 5TH DAY OF OCTOBER, 2022, upon review of Magistrate Judge Karoline Mehalchick's Report and Recommendation ("R&R") (Doc. 18) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 18) is **ADOPTED** for the reasons set forth therein.
2. Plaintiff's motion for temporary restraining order and preliminary injunction (Doc. 7) are **DENIED**.
3. Defendants' motion to dismiss, or alternatively, for summary judgment (Doc. 12) is

**GRANTED IN PART AND DENIED IN PART** as follows:

- a. Plaintiff's *Bivens* claims for violations of the Fourth and Fifth Amendments against the FBI or John Doe FBI Agents in their official capacities, 42 U.S.C. § 1983 claims, Fourteenth Amendment claims, claims under the Universal Declaration of Human Rights, and ADA claims, are **DISMISSED WITH PREJUDICE**.

- b. Plaintiff's *Bivens* claims for violations of the Fourth and Fifth Amendments against John Doe FBI Agents in their individual capacities and 42 U.S.C. § 1985 claims are **DISMISSED WITHOUT PREJUDICE**.
  - c. Defendants' alternative motion for summary judgment is **DENIED WITHOUT PREJUDICE** to Defendants' ability to renew the motion following the close of discovery.
4. Plaintiff's motion to amend (Doc. 15) is **GRANTED IN PART AND DENIED IN PART** as follows:
- a. Plaintiff's request that the Court issue a subpoena directing the release of Defendants' identities (Doc. 15, at 3) is **DENIED**.
  - b. Plaintiff's request to amend the complaint is **GRANTED**.
5. No later than **30 days** from the date of this Order, Plaintiff shall file a curative Amended Complaint.
6. The case is **REMANDED** to Magistrate Judge Mehalchick for further proceedings consistent with this Order.



Robert D. Mariani  
United States District Judge